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(Appearing for the Rice)  
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Attorneys for Defendants

## Attorneys for Defendants

PRINCIPLES FOR DETERMINING  
NOVARTIS PHARMACEUTICALS

CORPORATION, NOVARTIS CORPORATION,

and McKESSON CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

THERESA WALDON,

Case No. C 07 1988 MJJ

Plaintiff,

vs.

NOVARTIS PHARMACEUTICALS CORPORATION, a Delaware corporation; NOVARTIS CORPORATION, a New York corporation; and MCKESSON CORPORATION, a Delaware corporation.

## Defendants.

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING TIME FOR CASE  
MANAGEMENT SCHEDULE**

Dept: Courtroom 11, 19th Floor  
Judge: Hon. Martin J. Jenkins

STIPULATION AND [PROPOSED] ORDER  
EXTENDING TIME  
Case No. C 07-1988 MUI

1           WHEREAS, on March 28, 2007, plaintiff Theresa Waldon ("Plaintiff") filed her  
2 Complaint for Damages in the Superior Court of the State of California in and for the County of  
3 San Francisco; and

4           WHEREAS on April 9, 2007, defendants Novartis Pharmaceuticals Corporation and  
5 Novartis Corporation filed a Notice of Removal and related documents in this Court; and

6           WHEREAS, on May 4, 2007, Plaintiff filed a Motion to Remand the case to state court;  
7 and

8           WHEREAS, defendant McKesson Corporation ("McKesson") was served with the  
9 Complaint; and

10          WHEREAS, by stipulation pursuant to Local Rules ("L.R.") 6-1 and 7-12, McKesson was  
11 given 10 court days following this Court's order on Plaintiff's Motion to Remand the case to state  
12 court to respond to the Complaint; and

13          WHEREAS, on June 18, 2007, this Court issued an order, denying Plaintiff's Motion to  
14 Remand; and

15          WHEREAS, on June 28, 2007, in accordance with this Court's April 9, 2007 order, the  
16 parties met and conferred regarding the Rule 26(f) requirements and the possibility of alternative  
17 dispute resolution; and

18          WHEREAS, on July 2, 2007, the parties discussed the possibility of a joint motion to  
19 transfer the litigation to the Northern District of Georgia, where Plaintiff resides; and

20          WHEREAS, on July 2, 2007, the parties stipulated and prepared a [proposed] order to  
21 extend by 30 days all existing obligations, including the date for McKesson's response to the  
22 Complaint and the dates set forth in this Court's order, so as to facilitate the resolution of the  
23 venue for this litigation; and

24          WHEREAS, on July 9, 2007, the Court issued an order granting such an extension; and

25          WHEREAS, on July 30, 2007, in accordance with this Court's July 9, 2007 order, the  
26 parties met and conferred regarding the Rule 26(f) requirements and the possibility of alternative  
27 dispute resolution, and further discussed a transfer of the litigation to federal district court in  
28 Georgia as well as the status of the litigation and the possibility of a resolution without further

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STIPULATION AND [PROPOSED] ORDER  
EXTENDING TIME  
Case No. C 07 1988 MJJ

1 court involvement; and

2 WHEREAS, on July 31, 2007, the parties stipulated and prepared a [proposed] order to  
3 extend by 30 days all existing obligations, including the date for McKesson's response to the  
4 Complaint and the dates set forth in this Court's order, so as to facilitate the resolution of the  
5 venue for this litigation; and

6 WHEREAS, on August 3, 2007, the Court issued an order granting such an extension; and

7 WHEREAS, the parties have continued to have discussions on the possibility of a transfer  
8 and of a voluntary dismissal of McKesson Corporation, but have yet to reach agreement (*See*  
9 Declaration of Eric G. Lasker ("Lasker Decl."), ¶¶ 2 & 3); and

10 WHEREAS, on August 31, 2007, as provided in the Court's August 9, 2007 Order,  
11 McKesson Corporation filed a motion to dismiss; and

12 WHEREAS, on September 4, 2007, as provided in the Court's August 9, 2007 Order, the  
13 parties filed their joint ADR certification;

14 WHEREAS, on September 13, 2007, defendants filed a motion pursuant to 28 U.S.C. §  
15 1404(a) to transfer the case to the Southern District of Georgia; and

16 WHEREAS, in the event the motion to transfer is granted, there will be no further  
17 proceedings in this Court and the pending schedule will become moot. (*See* Lasker Decl., ¶ 4).

18 THEREFORE, pursuant to L.R. 6-1, 6-2 and 7-12 and subject to the approval of the  
19 Court, the parties hereby stipulate and agree that there is good cause for an extension of time of  
20 the remaining case management dates on the Court's August 3, 2007 Order until such time as the  
21 Court has ruled on the motion to transfer.

22 SO STIPULATED;

23 ////

24 ////

25 ////

26 ////

27 ////

28 ////

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STIPULATION AND [PROPOSED] ORDER  
EXTENDING TIME  
Case No. C 07 1988 MJJ

1 Dated: September 13, 2007

SPRIGGS & HOLLINGSWORTH

2  
3 By: /S/  
4 Eric G. Lasker

5 Attorneys for Defendants  
6 NOVARTIS PHARMACEUTICALS  
7 CORPORATION, NOVARTIS  
8 CORPORATION, and McKESSON  
9 CORPORATION

10 Dated: September 13, 2007

PHILLIPS & ASSOCIATES

11 By: /S/  
12 Lowell Finson

13 Attorneys for Plaintiff  
14 THERESA WALDON

15 Upon stipulation of the parties and good cause shown, IT IS HEREBY ORDERED that  
16 the schedule for completion of initial disclosures and the filing of a case management statement  
17 and discovery report time, as set forth in the Court's August 3, 2007 Order is continued until such  
18 time as the Court rules on the pending motion pursuant to 28 U.S.C. § 1404(a) to transfer the  
19 litigation to the Southern District of Georgia, at which time, if necessary, a new case management  
20 schedule will be ordered.

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 DATED: September 20, 2007



1 I, Eric G. Lasker, hereby attest that I have obtained consent for, and will maintain on file,  
2 all holograph signatures for any signatures indicated by a "conformed" signature ("S") within  
3 this e-filed document.

4 Dated: September 13, 2007

SPRIGGS & HOLLINGSWORTH

6 By: /S/  
7 Eric G. Lasker

8 Attorneys for Defendants  
9 NOVARTIS PHARMACEUTICALS  
10 CORPORATION, NOVARTIS  
11 CORPORATION, and McKESSON  
12 CORPORATION  
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